

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

EVDOKIA NIKOLOVA,
Plaintiff,

v.

UNIVERSITY OF TEXAS AT AUSTIN,
Defendant.

§
§
§
§
§
§
§

Civil Action No.: 1:19-CV-00877

DEFENDANT’S DESIGNATION OF TESTIFY EXPERT WITNESS

TO THE HONORABLE JUDGE ROBERT PITMAN:

Pursuant to this Court’s Scheduling Orders and agreements for extension between the Parties, Defendant files this designation of testifying expert. Defendant reserves the right and may supplement and amend this designation as necessary and as further discovery and evidence is obtained in this case.

Respectfully submitted,

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

GRANT DORFMAN
Deputy First Assistant Attorney General

SHAWN COWLES
Deputy Attorney General for Civil Litigation

THOMAS A. ALBRIGHT
Chief for General Litigation Division

/s/ Benjamin L. Dower

BENJAMIN L. DOWER

Assistant Attorney General

Texas State Bar No. 24082931

benjamin.dower@oag.texas.gov

AMY S. HILTON

Assistant Attorney General

Texas State Bar No. 24097834

amy.hilton@oag.texas.gov

Office of the Attorney General

General Litigation Division

P.O. Box 12548, Capitol Station

Austin, Texas 78711-2548

(512) 463-2120 / Fax (512) 320-0667

COUNSEL FOR UT AUSTIN

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2021, a true and correct copy of the foregoing document was served via the Court's ECF system to all counsel of record.

/s/ Benjamin L. Dower

BENJAMIN L. DOWER

Assistant Attorney General

POTENTIAL TESTIFYING EXPERT WITNESSES

Defendant designates the following potential testifying expert witnesses:

Donald R. Deere, Ph.D.
Welch Consulting
1716 Briarcrest Dr., Suite 700
Bryan, TX 77802
979.691.0704
DDeere@welchcon.com

Dr. Deere will testify regarding statistical evidence in this case and purported economic damages. Pursuant to the Court's Scheduling Order, the materials required by FED. R. CIV. P. 26(a)(2)(B) have been served, but not filed, on counsel for Plaintiff.

Plaintiff has designated "Plaintiff's counsel and other [unspecified] attorneys familiar with attorneys' fees in the Western District of Texas" to testify "regarding the reasonableness and necessity of attorneys' fees incurred by the Plaintiff in this lawsuit" should Plaintiff prevail at trial. *See* Doc. #34, 3-5. In an abundance of caution, Defendant designates that it may also call attorneys familiar with attorneys' fees in the Western District of Texas to testify in rebuttal to Plaintiff's counsel and other attorneys regarding the reasonableness and necessity of attorneys' fees incurred by Plaintiff in this lawsuit. *See* W.D. Tex. Local Rule CV-7(j) (specifying that a claim for attorney's fees shall be made by motion *after* entry of judgment).

Because discovery is still ongoing, Defendant reserves the right to supplement or amend this designation. Defendant reserves the right to call any witnesses designated as experts by Plaintiff and incorporates such witnesses into Defendant's designation without waiving and reserving any and all objections to those witnesses.